

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

MODIFIED CHAPTER 13 PLAN

In Re: Charles F. Zachow SSN: xxx-xx-9658

Dated: September 16, 2004
Bkry Case No. 04-31553

DEBTOR

In a joint case, debtor means debtors in this plan.

1. PAYMENTS BY DEBTOR -

- a. As of the date of this plan, the debtor has paid the trustee \$1,084.00.
- b. After the date of this plan, the debtor will pay the trustee \$271.00 per month for 8 months, beginning August 2004 for a total of \$2,168.00; then \$580.00 per month for 48 months, beginning April 2005 for a total of \$27,840.00.
- c. The debtor will also pay the trustee None.
- d. The debtor will pay the trustee a total of \$31,092.00 [line 1(a) + line 1(b) + line 1(c)].

- 2. PAYMENTS BY TRUSTEE -** The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$2,826.00 [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

- 3. PRIORITY CLAIMS -** The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ 1,250.00	\$ 246.00	1	5	\$ 1,250.00
b. Internal Revenue Service	\$ 2,390.00	\$ 246.00/527.00	6/9	3/4	\$ 2,390.00
c.	\$	\$			\$
d.	\$	\$			\$
e. TOTAL					\$ 3,640.00

- 4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT -** The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. Ideal Lease - Debtor hereby assumes lease
- b.

- 5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] -** The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL:					\$ None

- 6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.	\$	\$			\$
b. TOTAL					\$ None

7. **OTHER SECURED CLAIMS [§ 1325(a)(5)]** - The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. **NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).** Remaining balances due under the modified plan.

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a.	\$	\$	\$			\$
b.	\$	\$	\$			\$
c.	\$	\$	\$			\$
d.	\$	\$	\$			\$
e.	\$	\$	\$			\$
f. TOTAL						\$ None

8. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: None
- a. The debtor estimates that the total claims in this class are \$ None
- b. The trustee will pay this class \$ None
9. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7, and 8 their pro rata share of approximately \$24,626.00 [line 1(d) minus lines 2, 3(e), 5(d), 6(b), 7(f), and 8(b)].
- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$None.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$58,052.00.
- c. Total estimated unsecured claims are \$58,052.00 [line 9(a) | line 9(b)].
10. **TARDILY-FILED UNSECURED CREDITORS** - All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8, or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim forms were tardily filed.
11. **OTHER PROVISIONS** - The trustee may distribute funds not allocated above at his discretion. The tax authorities including the federal government, state revenue and property taxes shall be paid per claim whether filed as priority or secured. The plan shall allow debtors current child support obligation to be paid through payroll deduction, and the back child support obligation shall be paid in full inside the plan. All child support debt classified as non-priority shall be paid in full by the Trustee, as a separate class. Upon the completion of payment of the secured portion of any claim, the property securing said claim shall vest in the debtor(s) free and clear of any lien, claim or interest of the secured creditor, and the secured creditor shall execute whatever documents necessary to release the lien on title to security.

12. SUMMARY OF PAYMENTS -

Trustee's Fee [Line 2].....	\$ 2,826.00
Priority Claims [Line 3(e)]	\$ 3,640.00
Home Mortgage Defaults [Line 5(d)]	\$ None
Long-Term Debt Defaults [Line 6(b)]	\$ None
Other Secured Claims [Line 7(f)].....	\$ None
Separate Class [Line 8(b)]	\$ None
Unsecured Creditors [Line 9]	\$ 24,626.00
TOTAL [must equal Line 1(d)]	\$ 31,092.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Robert J. Hoglund #210997
P.O. Box 130938
Roseville, Minnesota 55113

Signed /e/ Charles F. Zachow
DEBTOR

(651) 628-9929

Signed /e/

DEBTOR (if joint case)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:
Charles F. Zachow,

Bkry Case No: 04-31553
Chapter 13 Case

NOTICE OF MODIFICATION AND HEARING
Debtor(s) . ON CONFIRMATION OF CHAPTER 13 PLAN

TO: ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that the debtor(s) modified the Chapter 13 Plan and the Hearing on Confirmation of Plan scheduled to be heard on September 23, 2004 at 10:00 a.m. in United States Bankruptcy Court, Room 228C, 316 North Robert Street, Saint Paul, Minnesota, shall be continued to October 28, 2004 at 10:00 a.m. in United States Bankruptcy Court, Room 228C, 316 North Robert Street, Saint Paul, Minnesota.

Dated: October 14, 2004

HOGLUND, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /e/ Robert J. Hoglund

Robert J. Hoglund #210997
Keith Chwialkowski #210134
Marie F. Martin #287040
Jeffrey J. Bursell #293362
Attorney for Debtor(s)
1611 West County Road B #106
P.O. Box 130938
Roseville, Minnesota 55113
Telephone Number: (651) 628-9929

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:
Charles F. Zachow,

Bkry Case No: 04-31553
Chapter 13 Case

UNSWORN CERTIFICATE
OF SERVICE

Debtor(s).

I, Robin Nori, employed by Hoglund, Chwialkowski, Greeman & Bergmanis, P.L.L.C., attorneys licensed to practice law in this Court, with office address of 1611 West County Road B, Suite 106, Roseville, Minnesota 55113, declare that on October 14, 2004, I served the Notice of Modification and Hearing on Confirmation of Plan, Modified Chapter 13 Plan, and an amended Schedule B, to each of the entities named below by mailing to each of them a copy thereof by enclosing the same in an envelope with first class mail postage prepaid and depositing the same in the post office in Roseville, Minnesota, addressed to each of the entities as follows:

Mr. Michael J. Farrell
Trustee in Bankruptcy
P.O. Box 519
Barnesville, Minnesota 56514

United States Trustee
1015 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415

Charles F. Zachow
30320 - 200th Street
Wabasso, Minnesota 56293

all creditors/parties in interest listed on matrix (see attached)

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: October 14, 2004

Signed: /e/ Robin Nori
Paralegal

AT&T UNIVERSAL CARD/MASTERCARD
PO BOX 8201
SOUTH HACKENSACK NJ 07606

CHASE
PO BOX 52195
PHOENIX AZ 85072-2195

FIRST USA
VISA/MASTERCARD
PO BOX 94014
PALATINE IL 60094

GM CARD
DEPT 9600
CAROL STREAM IL 60128-9600

HRS USA
DEPT 7680
CAROL STREAM IL 60116

MBNA
PO BOX 15137
WILMINGTON DE 19886

PEOPLES BANK
PO BOX 10311
STAMFORD CT 06904-2311

US BANK
PO BOX 2407
MINNEAPOLIS MN 55402

MBNA AMERICA/ECAST
C/O BECKET AND LEE
PO BOX 35480
NEWARK NJ 07193

CHASE MANHATTAN/ECAST
C/O BECKET AND LEE
PO BOX 35480
NEWARK NJ 07193

HOUSEHOLD BANK/ECAST
C/O BECKET AND LEE
PO BOX 35480
NEWARK NJ 07193

PATTI J SULLIVAN ATTY
ULVIN AND SULLIVAN
PO BOX 16406
ST PAUL MN 55116

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:
Charles F. Zachow,

Bankruptcy Case Number: 04-31553

SIGNATURE DECLARATION

Debtor(s).

- () PETITION, SCHEDULES & STATEMENTS
() CHAPTER 13 PLAN
() SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
(X) AMENDMENT TO PETITION/SCHEDULES/STATEMENTS/DOCUMENTS
(X) MODIFIED CHAPTER 13 PLAN/MOTION FOR HEARING
() OTHER: (Please describe) _____
(X) VERIFICATION: I(We), debtor(s) named in the attached amended schedule(s), declare under penalty of perjury that the foregoing is true and correct.

I[We], the undersigned debtor(s) or authorized representative of the debtor(s),
make the following declarations under penalty of perjury:

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 10-8-04

Charles Zachow
Signature of Debtor or Authorized Representative

Signature of Joint Debtor

Charles F. Zachow
Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor

HOGlund, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /s/ Robert J. Hoglund
Robert J. Hoglund #310997
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Telephone Number: (651) 628-9929